

STATE OF NORTH CAROLINA

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
19 OSP 01028

COUNTY OF WAKE

JUDITH KNECHTEGES,

Petitioner,

v.

NORTH CAROLINA DEPARTMENT OF
PUBLIC SAFETY,

Respondent.

AFFIDAVIT OF LUANN ROBERTS

1. I am an adult over the age of eighteen years and competent to provide this Affidavit, which I am making of my own free will, stating facts of which I have personal knowledge.
2. I am currently employed by the State of North Carolina as a Business Officer within the North Carolina Department of Public Safety (the "Department"), Division of Prisons, Prisons Administration section.
3. As the Business Officer for the Division of Prisons, I oversee the hiring process and all human resources functions. As the Business Officer, I am familiar with the Divisions' processes and practices for the hiring of job applicants and its documentation of the hiring process.
4. As the Business Officer, I am also familiar with the Department's communications with employees regarding their employment status.
5. The Divisions' typical practice for the hiring of exempt positions and high level managerial positions, is as follows:
 - a. A hiring manager is selected.

- b. The Department's central human resources office will draft the job positing providing, *inter alia*: the duties of the position; the knowledge, skills and abilities sought; the minimum education and experience requirements; and a supplemental questionnaire that enquires into areas of particular interest to the Department. The hiring manager is typically consulted on the job posting.
- c. Human resources drafts interview questions and benchmarks for scoring answers in consultation with the hiring manager.
- d. An interview panel is selected by the hiring manager. Where possible, the panel is composed of individuals that are in higher positions than the job being filled.
- e. Central human resources will screen applicants to ensure that they meet minimum job requirements.
- f. Interviews are conducted for qualified applicants. The interview panel will take notes on the interviews and provide a score for each applicant based on their answers to the interview questions. The scores are based on the established benchmarks.
- g. The interview panel will provide their notes, scores and a recommendation to the hiring manager.
- h. The hiring manager will then make a determination on who to hire based on the job applications, interview scores and notes, and the interview panel's recommendation.

- i. The hiring manager will receive approval for the hire.
6. Interviews are designed to ensure that the candidate has appropriate familiarity with the required job knowledge, skills and abilities. Interviews give applicants an opportunity to expand on their past job experiences and explain how those experiences qualify them for the job. Interviews also help the Department assess whether applicants can communicate their knowledge clearly and logically, which is important especially for managerial and high-level positions.
7. I have reviewed the Department's file covering the recent hiring for the Central Prison Hospital CEO position ("CEO Position"), which was position number 60069054.
8. The CEO Position was initially posted two times in 2017. The position was not filled from these two postings.
9. This CEO Position was reposted on August 7, 2018. I have reviewed Exhibit 2 to Respondent's Motion for Summary Judgement, filed with the Court on July 29, 2019, and can confirm that it is a true and accurate copy of the third job posting for the CEO position.
10. The interview panel for the third posting of the position consisted of Dr. Anita Wilson—the Medical Director for the Division of Prisons, Annie Harvey—who at the time was the Deputy Director of Operations for the Division of Prisons, and Doug Holbrook—Chief Financial Officer for the Department.
11. A true and accurate copy of the interview panel's notes and ratings for each of the applicants interviewed for the third posting of the CEO Position are provided as Exhibit A to this affidavit. The benchmark scores for each question are also included in Exhibit A.

12. I have also reviewed Exhibit 4 to Respondent's Motion for Summary Judgment and can confirm it is a true and accurate copy of the Department's record of the interview panels' interview summary for the third posting of the CEO Position.
13. A true and accurate copy of the applicants' job applications are included in Exhibit B to this affidavit. I have also reviewed Exhibit 3 to Respondent's Motion for Summary Judgment and can confirm it is a true and accurate copy of Judith Knechtges application for the third posting of the CEO Position.
14. The Department's file for the hiring of the CEO Position includes Dr. Anita Wilson's memorandum to Kenneth Lassiter setting forth a justification for the interview panel's candidate. A true and accurate copy of that recommendation is provided as Exhibit 5 to Respondent's Motion for Summary Judgment.
15. I have reviewed the Department's hiring file for the CEO Position and can confirm that the chosen candidate Chad Lovett did not apply to the position the first time that it was posted in 2017. Mr. Lovett's first application for the CEO Position was on December 21, 2017. Mr. Lovett then reapplied for the CEO Position on August 10, 2018, when the position was posted a third time.
16. I have reviewed Exhibits 1 and 6 to Respondent's Motion to Summary Judgment and can confirm that they are accurate and true records of the Department's communications with Judith Knechtges regarding her employment status as temporary acting CEO of Central Prison Hospital.

This the 6th day of September, 2019.

LuAnn Roberts
LuAnn Roberts

Sworn to and subscribed before me this the
6th day of September, 2019.

Kittrell S. Hinton
(Notary Public)

My Commission Expires: 7-27-24

